

UNITED STATES DISTRICT COURT
DISTRICT OF MARYLAND

CHAMBERS OF
J. FREDERICK MOTZ
UNITED STATES DISTRICT JUDGE

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BALTIMORE, MARYLAND 21201
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March 25, 2003

Memo To Counsel Re: Wanita Roach v. Catherine Castellani
Civil No. JFM-02-3171

Dear Counsel:

I have reviewed the memoranda submitted in connection with defendant's motion to dismiss.

Defendant may well be correct that it is doubtful whether realistically plaintiff's claim exceeds \$75,000. However, it cannot be said to a legal certainty that the claim is for less than the jurisdictional amount and therefore dismissal would be inappropriate.

Incidentally, I note that even if plaintiff had instituted this case in the wrong forum, defendant would not be protected by the statute of limitations since Maryland Rule 2-101 would permit plaintiff to reinstitute the action in state court in the event that I were to dismiss it for lack of subject matter jurisdiction.

Despite the informal nature of this ruling, it shall constitute an Order of Court, and the Clerk is directed to docket it accordingly.

Very truly yours,

/s/

J. Frederick Motz
United States District Judge